

**TOWN OF KENDALL PLANNING BOARD  
MEETING MINUTES**

**Tuesday, February 28, 2023 at 7:00 p.m.**

ROLL CALL:	Chairman Bruce Newell	- present
	Jeff Conte	- present
	Phil D’Agostino	- present
	Jon Gainer	- excused
	Mindy Zyra	- present
	Andrew Kludt, Alt.	- present

Also present: Bob McGregor, 1909 W. Kendall Rd., Tom Cole, Kenmore Rd, Jeff and Laura Partyka 1420 County Line Rd., Town Board Liaison Jennings, Code Enforcement Officer Hennekey, Deputy Code Enforcement Officer Strong and Recording Secretary Bakutis.

Chairman Newell called the meeting to order at 7:03 p.m.

**APPROVAL OF MINUTES:**

Minutes from the January 24, 2023 meeting submitted by Recording Secretary Bakutis were reviewed. Chair. Newell moved to accept the minutes as amended. All in favor.

**PUBLIC COMMENT:**

No public comment.

**DISCUSSION AND REVIEW FOR COLE TRANSPORTATION (New Construction):**

Tom Cole gave a copy of the building and foundation plans to the board, and informed the board that the business, Spencerport Enterprise, is expanding and he would like to construct a 100’x 200’ building, 20’ at the eaves. The materials will be the same as the other buildings and it meets all the setbacks and requirements. It is a permitted use. The construction of the west building was approved in the year 2020. Andrew Kludt conveyed as long as it meets all the set backs and requirements it is a permitted use. The Planning Board has no concerns and agrees a public hearing is not required. Tom is to meet with the Code Enforcement Officer to make sure all building codes are met.

**NEW BUSINESS:**

- Partyka Farms – Jeff Partyka told the board they are proposing to build self-storage units on a parcel they own between County Line Rd. and Rt. 18. CEO Hennekey explained to the board the Partyka’s are seeking input from the Planning Board on the probability of the project moving forward since they may need to apply to the Town Board to petition for rezoning. Andrew Kludt feels it falls under Business Convenience in the Code, which is a permitted use and would not have to be rezoned. Chair. Newell agrees it is permitted use accompanied by a special use permit, therefore he’s not clear why it would need to be rezoned. A convenience use located in the Hamlet would be considered a business general

use and would not need to be rezoned. Deputy CEO Strong suggested looking under Business General. Jeff and Laura informed the board the unit will be in the northeast corner of the parcel, it has an existing driveway and will be lighted and fenced in for added security. The size of the first unit will be 30'x 120', depending on the demand for the units they may build up to four units total in the imminent future. Dep. CEO Strong stated because they are going to supply a service to the public; he suggests when they are ready to submit the application to the town board, they should request the town change the parcel to general business.

- Zingler Farms - Re: Farm worker housing – There will be a public hearing with the Kendall Zoning Board first, two weeks from now, then a public hearing for a three (3) year special use permit and site plan review will follow with this board, contingent on the Zoning Boards discussion on the variance.
- Training Opportunities – Bruce informed the board members if your yearly training hours have not been met you cannot be reappointed to the board. In person training is being scheduled at the library in Albion. There is also online training, if anyone is interested, it may be easier for most. The County Planning Office has a limited number of online courses you can access from their office, and they will issue a certificate. Chair. Newell will ask the Kendall Town Board if they would consider instituting a policy to allow for all online training opportunities.
- Alternate member Andrew Kludt agreed to act as Chairman at the March 28, 2023 meeting in the absence of Chairman Newell.

#### **TOWN BOARD UPDATE:**

- Town Board Liaison Jennings informed the board a representative from Joule, a company selected by the TB to be our third-party administrator to help administrate the community choice aggregation program to bring lower electric rates to the Town of Kendall residence. The company did a Q&A presentation for the public that attended the TB meeting. Electrical bids will start to come back to us with electrical bids from service providers, in a couple of months there will be another in person meeting most likely in the spring, the Town Boards goal is to have this started by mid to late summer.
- Update on water district 11 - As of now it is looking more and more like nothing going to happen until the government releases the census figures from 2020 which now, they are telling the TB they won't see until October, at that point they can supply that to the USDA apply for financing and get that project going.
- Short Term Rentals – The TB had the vote on STR Laws, and it was passed.

#### **CODE ENFORCEMENT UPDATE:**

FEMA has sent out preliminary re-drawings of flood zone updates for Orleans County, they have not been updated since 1978. The Town has them for review.

**OLD BUSINESS:**

- a. Brush/Weed/etc. Law – Needs fixing. Draft from Attorney Andrew Meier still contained 150-ft.
- b. Short Term Rental's – PB comments: Still waiting for Attorney Meier to forward the draft with changes this board has recommended and Chair. Newell had incorporated in a new draft; the old version seems to be resurfacing.
- c. Comprehensive Master Plan – no updates other than some input from Ken DeRoller and Ed Gaesser. Grants need to be researched for the rewriting of the Town's Comprehensive Plan. Grant applications need to be in by early summer. Town Board members Flow and Szozda have agreed to assist if needed in this area. Mindy has offered to research this matter. Dave Bentley has volunteered to join the committee. Chair. Newell would like to see someone from school administration, or the school board involved.
- d. Possible Code Updates – 1) Minor Subdivisions: Minor changes need further investigation of definition. 2) Event Centers: The Town of Kendall has nothing in the code regarding this matter, Town Board Zyra will research other town codes regarding events.
- e. Chairman Newell proposed going forward if there is something at the County that is relevant to the Town of Kendall then he will discuss the information with the board, otherwise if members are interested in the CPB meetings, they can attend those meeting or view their minutes online.

**ADJOURNMENT:**

Andrew Kludt made motion to adjourn, seconded Mindy Zyra. All in favor. Meeting adjourned at 8:11 p.m.

**NEXT MEETING:**

Tuesday, March 28, 2023 at 7:00 p.m.

Respectfully Submitted,

Tammy Bakutis  
Recording Secretary